

Before the
Federal Communications Commission
Washington, D.C. 20554

In the Matter of

Fernando Alejandro

Bronx, New York

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File No.: EB-02-NY-216

NAL/Acct. No. 200332380011

FRN 0007-9608-34

FORFEITURE ORDER

Adopted: May 8, 2003

Released: May 12, 2003

By the Chief, Enforcement Bureau:

1. In this *Forfeiture Order* (“*Order*”), we issue a monetary forfeiture in the amount of ten thousand dollars (\$10,000) to Fernando Alejandro, for willful and repeated violation of Section 301 of the Communications Act of 1934, as amended (“*Act*”).¹ The noted violation involves Mr. Alejandro operation of a radio station on the frequency of 95.1 MHz without Commission authorization.

2. On January 10, 2003, the District Director of the Commission’s New York, New York Field Office (“*New York Office*”) issued a *Notice of Apparent Liability for Forfeiture* (“*NAL*”) in the amount of \$10,000 to Mr. Alejandro.² Mr. Alejandro has not filed a response to the *NAL*. Based on the information before us, we affirm the forfeiture.

3. **ACCORDINGLY, IT IS ORDERED THAT**, pursuant to Section 503(b) of the *Act*,³ and Sections 0.111, 0.311 and 1.80(f)(4) of the Commission’s Rules (“*Rules*”),⁴ Fernando Alejandro **IS LIABLE FOR A MONETARY FORFEITURE** in the amount of \$10,000 for willfully and repeatedly violating Section 301 of the *Act*.

4. Payment of the forfeiture shall be made in the manner provided for in Section 1.80 of the *Rules* within 30 days of the release of this *Order*. If the forfeiture is not paid within the period specified, the case may be referred to the Department of Justice for collection pursuant to Section 504(a) of the *Act*.⁵ Payment shall be made by mailing a check or similar instrument, payable to the order of the “Federal Communications Commission,” to the Federal Communications Commission, P.O. Box 73482, Chicago, Illinois 60673-7482. The payment should note NAL/Acct. No. 200332380011, and FRN 0007-9608-34. Requests for full payment under an installment plan should be sent to: Chief, Revenue and Receivables Operations Group, 445 12th Street, S.W., Washington, D.C. 20554.⁶

¹ 47 U.S.C. § 301.

² *Notice of Apparent Liability for Forfeiture*, NAL/Acct. No. 200332380011 (Enf. Bur., New York Office, released January 10, 2003).

³ 47 U.S.C. § 503(b).

⁴ 47 C.F.R. §§ 0.111, 0.311, 1.80(f)(4).

⁵ 47 U.S.C. § 504(a).

⁶ *See* 47 C.F.R. § 1.1914.

5. **IT IS FURTHER ORDERED THAT** a copy of this *Order* shall be sent by first class mail and certified mail, return receipt requested, to Fernando Alejandro, El Fin Se Acerca Church, 2151 Jerome Avenue, Bronx, New York 10453.

FEDERAL COMMUNICATIONS COMMISSION

David H. Solomon
Chief, Enforcement Bureau